

Before The
Federal Communications Commission
Washington, D.C., 20554

In the Matter of

Amendment of the Commission's Rules and
Policies to Improve the Translator Interference
Complaint Process

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) MB Docket No. RM-11787
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COMMENTS OF THE NATIONAL TRANSLATOR ASSOCIATION

The National Translator Association (NTA) here submits comments in response to the National Association of Broadcasters (NAB) request for Rule Making, released on April 27, 2017¹. NTA continues to advocate, as it has for the past 40 years, measures that extend and preserve free over the air broadcast television, especially to rural areas where other delivery mechanisms may be lacking. Since the inception of the FM translator service, NTA also has supported that service, as an important component of aural service, assuring the larger and more effective use of radio in the public interest.

The primary focus of this proceeding is on practical measures to assist the FM translator service and FM translators with interference concerns from other broadcast services possibly caused by a FM translator to a FM Full Power Station.

In recent years, the FM translator service has been expanded to enable AM broadcasters, LPFM broadcasters and FM HD broadcasters to make significant use of the FM translator service. As such, the FM translator service has become even more significant to the broadcaster and the public interest. The NTA offers these comments because the

¹ RM – 11787 NAB Petition for Rule Making – April 27, 2017
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Commission has recognized, we think correctly, that FM translators rebroadcasting AM broadcasters, LPFM broadcasters and FM HD broadcasters goes a long way toward helping these broadcast service survive, and even to expand from its present base; and in its part providing better service to the public.

We strongly support many of the comments and concepts contained within the NAB RM – 11787 proposal (NAB RM). We also support some of the concepts contained within the Aztec RM – 11786 proposal (Aztec RM)². However there are some significant differences between these proposals that should be address in the near future in the form of a Notice of Proposed Rulemaking.

The NAB RM would allow a translator licensee to move to any available channel on the FM band to resolve interference as a minor change, after verifying that no adjacent or IF-spaced channels (+/- 3 or 53, 54) are available.³ NTA supports allowing translators to relocate to any frequency at any time with just a simple show cause statement of mitigation of interference to any station including but not limited to the translator itself, and that such a move would not cause interference to any other broadcast facility or the translator itself as outlined in the current rules and regulations; which is typically the most efficient method of rectifying these types of interference issues along with other issues.

NAB RM also defines methods for addressing listener complaints concerning translator interference. In general, NTA supports NAB's statements concerning this issue. As NAB pointed out, "an application for a new translator will not be granted if a full-power station provides "convincing evidence" that doing so will cause interference to its reception. Further,

² See RM – 11786 Aztec Capital Partners, Inc., licensee of WHAT(AM), Philadelphia, Pennsylvania

³ Id 1 at page 6
NTA 2017
R 170520

an authorized translator is not permitted to continue operation if it causes any actual interference to the direct reception “by the public” of the off-the-air signals of any authorized broadcast station. Thus, the Commission limits such actionable complaints to those made by bona fide, regular listeners of the desired full-power station.”⁴ The NAB goes on to propose in the case of an already existing translator, a threshold of six listener complaints. NAB also set criteria for such complaints.

NTA in general agrees with NAB’s comments in general. However, we would support a different method in determining the number of bona fide complaints needed to be filed against a translator suspected of causing interference to a full power station after being licensed. NTA would recommend that the number of complaints be variable from four to eight depending on the total number of potential listeners (population) under the protected contour of the translator. We also agree that the location of the listener’s bona fide complaints would need to be from unique locations as NAB states. We would also suggest that these complaints from these listeners would need to come from what we would define as “The Area of the Zone of Interference” which could be determined from interference contours derived from both stations, the full power station and the translator in question. We would also state that both the full power station and the translator would need to be operating under normal parameters in accordance with their granted licenses at the time of the bona fide listener complaints without significant deviation of said parameters to prevent cases where the full power station was underperforming and claiming interference at the same time.

In conclusion, NTA believes that FM translators allow broadcasters to maintain and aid with financial viability of their full power stations. It is in the public interest for the Commission to

⁴ Id 1 at page II
NTA 2017
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proceed in moving forward with these proposed rule makings as these new rules would govern interference issues caused by listener complaints. These new proposed rules would better serve the public, the broadcast industry, and full power broadcast stations, and FM translators to better serve the local community and the public interest. If it enhances the delivery of local radio service to the public, it warrants prompt implementation by that fact alone.

FOR THE NATIONAL TRANSLATOR ASSOCIATION:

/s/ John C. Terrill_____

John C. Terrill, President

/s/ Charles (Ched) Keiler_____

Charles (Ched) Keiler, Vice President - Audio

May 26, 2017